IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 15325 of 2007(Y)

AGAINST THE ORDER IN EP 504 2000 IN OS.1506/1998 of III ADDL.M.C.,TRIVANDRUM

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PETITIONER:

DHARMARAJ, S/O.THANKAYYA NADAR,
ELAVANVILA VEEDU, KAKKAMMOOLA,THIRUVANANTHAPURAM.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENT:

JAYASREE, D/O. SUMATHI AMMA,
'ROHINI', KAKKAMMOOLA,KALLIYOOR,THIRUVANANTHAPURAM.

BY ADV. SRI.D.AJITHKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/06/2007 ALONG WITH CRP NO. 777 OF 2002, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.15325/2007 Y

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE ORDER DTD. 30/03/2002 IN O.S.NO.1056/1998 BEFORE THE MUNSIFF'S COURT, THIRUVANANTHAPURAM.**

EXT.P2: **COPY OF THE APPLICATION E.P.NO.504 OF 2000 IN O.S.NO.1506/1998 BEFORE THE MUNSIFF'S COURT, THIRUVANANTHAPURAM DTD. NIL.**

EXT.P3: **COPY OF THE ORDER DTD. 29/03/2007 IN E.A.NO.408/07 IN E.P.NO. 504 OF 2000 IN O.S.NO.1506/1998 BEFORE THE MUNSIFF'S COURT, THIRUVANANTHAPURAM.**

EXT.P4: **COPY OF THE PETITION E.A.NO.432/07 DTD. 03/04/2007.**

/TRUE COPY/

KSS

M.N.KRISHNAN, J.

WP(C)No. 15325 OF 2007

Dated this the 18th June, 2007.

JUDGMENT

This writ petition is filed seeking to quash Ext.P3 order and also to call for the records leading to Ext.P4. Ext.P3 order was passed on an application filed by the writ petitioner for postponement of the sale. The trial court dismissed the application. From Ext.P4 filed by the writ petitioner it is seen that sale was conducted on 29.3.2007 and it has been posted for confirmation of sale. If there are grounds and if it is in accordance with law and there are grounds to set aside the sale and if separate application is filed, they are all matters which has to be considered by the court and pass appropriate orders. If Ext.P4 is not disposed of the executing court may consider it after hearing the other side and dispose it of in accordance with law. Writ petition is disposed of accordingly.

M.N.KRISHNAN
Judge

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